

**BASIS FOR THE AMENDMENT**

The Claims have been amended as supported by the Claims as originally filed.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 15-28 will now be active in this application.

### **REMARKS**

Applicants wish to thank Examiner Witherspoon for the helpful and courteous discussion with Applicants' Representative on March 17, 2008. Regarding Claim 27, Applicants' Representative referred to page 22, line 26 to page 23, line 9 of the specification. In addition, it was noted that a person of ordinary skill in the art would know what is meant by carbonylation, hydrocyanation, isomerization and amidocarbonylation. One point of the invention is the use of the catalyst of the present invention in these reactions.

In order to further strengthen this argument, the Examiner mentioned that it may be helpful to provide references showing typical carbonylation, hydrocyanation, isomerization and amidocarbonylation. Such references are enclosed with the Information Disclosure Statement filed herewith. In addition, to show that hydrocyanation, isomerization of olefins or amidocarbonylation reactions are well known and familiar to those skilled in the art, the following web-printouts are attached:

<http://en.wikipedia.org/wiki/Carbonylation>

<http://en.wikipedia.org/wiki/Hydrocyanation>

<http://en.wikipedia.org/wiki/Isomerization>

[http://www.sciencedirect.com/science?\\_ob=ArticleURL&\\_udi=B6TGM-4B955TW-3&\\_user=4013100&\\_rdoc=1&\\_fmt=&\\_orig=search&\\_sort=d&view=c&\\_acct=C000062060&\\_version=1&\\_urlVersion=0&\\_userid=4013100&md5=cbb5b3a8e2932275ff183c032e8dea3](http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B6TGM-4B955TW-3&_user=4013100&_rdoc=1&_fmt=&_orig=search&_sort=d&view=c&_acct=C000062060&_version=1&_urlVersion=0&_userid=4013100&md5=cbb5b3a8e2932275ff183c032e8dea3)

1

Further, Claim 27 has been amended for clarity only. Thus, the rejection to Claim 27 under 35 USC 112, 1<sup>st</sup> and 2<sup>nd</sup> paragraph should be withdrawn.

Regarding Burke et al (US 6,663,427), it was noted that the bidentate phosphorus ligand has **two trivalent phosphorus atoms bound to salicylanilide groups**. See the

**abstract and col. 2, lines 37-50.** In addition, Burke et al is discussed at page 4, lines 11-13 of the specification:

“U.S. Pat. No. 6,664,427 describes a hydroformylation process in which specific bidentate phosphorus ligands which have two trivalent phosphorus atoms which are bonded to an  $\alpha$ -hydroxybenzamide or  $\alpha$ -hydroxybenzimidazole group are used.”

However, the heteroacylphosphite of general formula (1) of the present invention or a corresponding complex with one or more metals of groups 4 to 10 of the Periodic Table of the Elements is different from the bidentate phosphorus ligand of Burke et al. The Examiner appeared favorably convinced.

Thus, the rejection of Claims 15-26 under 35 U.S.C. § 103(a) over Burke et al is respectfully traversed.

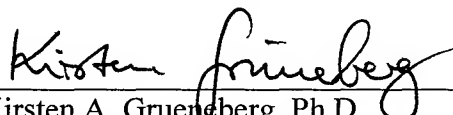
This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
NFO:KAG:  
(OSMMN 08/07)

  
Kirsten A. Gruenberg, Ph.D.  
Registration No.: 47,297